

**RULES
OF
DEPARTMENT OF SAFETY
MOTOR VEHICLE DIVISION**

**CHAPTER 1340-5-10
TEMPORARY TAGS**

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1340-5-10-.01 DEALERS APPLY. Subject to the limitations and conditions hereinafter set forth, duly qualified dealers may apply to the Motor Vehicle Division of this Department for and be issued the “temporary tags” authorized by the provisions of subsection (d) of *T.C.A. §55-4-205*.

Authority: *T.C.A. §55-4-103, 4-2-1903, 67-1-102, 67-1-103, 67-1-105, 67-1-703, 67-1-802, and 67-1-803. Executive Order Number 37. Administrative History:* Original chapter 1340-5 transferred from chapter 1320-8 under the authority of Executive Order Number 37 dated June 29, 1990.

1340-5-10-.02 REMITTANCE. The dealer's application for “temporary tags” shall be accompanied by a remittance in that amount sufficient for the statutory fee for each such “tag” for which he has applied.

Authority: *T.C.A. §55-4-103, 4-2-1903, 67-1-102, 67-1-103, 67-1-105, 67-1-703, 67-1-802, and 67-1-803. Executive Order Number 37. Administrative History:* Original chapter 1340-5 transferred from chapter 1320-8 under the authority of Executive Order Number 37 dated June 29, 1990.

1340-5-10-.03 TAG FOR DELIVERY. A dealer may assign and issue a “temporary tag” to himself for a vehicle which he, his servant, salesman or agent must remove from the place of purchase to the dealer’s place of business or for delivering a vehicle to the purchaser.

Authority: *T.C.A. §55-4-103, 4-2-1903, 67-1-102, 67-1-103, 67-1-105, 67-1-703, 67-1-802, and 67-1-803. Executive Order Number 37. Administrative History:* Original chapter 1340-5 transferred from chapter 1320-8 under the authority of Executive Order Number 37 dated June 29, 1990.

1340-5-10-.04 LIMITATIONS ON TAGS. A dealer may assign and issue a temporary tag to a bona fide purchaser for the vehicle sold to such person by the dealer, or to a person for an automobile loaned or rented to him by the dealer for use as a private passenger vehicle during such period as the person is awaiting delivery of an automobile for which he has contracted or awaiting return of his own vehicle from the dealers repair shop or garage provided that a third temporary tag may not be issued to a person for the same vehicle except upon authorization from the Commissioner.

Authority: *T.C.A. §55-4-103, 4-2-1903, 67-1-102, 67-1-103, 67-1-105, 67-1-703, 67-1-802, and 67-1-803. Executive Order Number 37. Administrative History:* Original chapter 1340-5 transferred from chapter 1320-8 under the authority of Executive Order Number 37 dated June 29, 1990.

1340-5-10-.05 EXECUTION OF TAGS.

- (1) Every dealer who issues a “temporary tag” shall execute it clearly, indelibly and fully on its face except that

(Rule 1340-5-10-.05, continued)

- (2) Every dealer or person lawfully entitled to hold and issue “temporary tags” may deliver such “tags” unexecuted to any Tennessee dealer who is eligible to use or issue them. Delivery shall be made to the second dealer only upon securing a signed release identifying the “tags” as to serial number and delivery date along with a receipt for any payment, a copy of which shall be mailed within twenty-four (24) hours to the Motor Vehicle Division of the Department of Safety.

Authority: T.C.A. §§55-4-103, 4-2-1903, 67-1-102, 67-1-103, 67-1-105, 67-1-703, 67-1-802, and 67-1-803. **Executive Order Number 37.** **Administrative History:** Original chapter 1340-5 transferred from chapter 1320-8 under the authority of Executive Order Number 37 dated June 29, 1990.

1340-5-10-.06 RECORDS.

- (1) Every dealer who assigns and issues “temporary tags” shall maintain a record of each issue to include the name and address of the licensee, a description of the vehicle and the date of issuance.
- (2) Each record of an issuance and each release for a delivery to another dealer shall be kept for a period of not less than fifteen (15) months from the date of the transaction. Full and free access to such records shall be afforded at the dealer's place of business during regular business hours to peace officers and authorized representatives of this Department.

Authority: T.C.A. §§55-4-103, 4-2-1903, 67-1-102, 67-1-103, 67-1-105, 67-1-703, 67-1-802, and 67-1-803. **Executive Order Number 37.** **Administrative History:** Original chapter 1340-5 transferred from chapter 1320-8 under the authority of Executive Order Number 37 dated June 29, 1990.

1340-5-10-.07 REIMBURSEMENT. Every dealer shall be entitled to reimbursement from the purchaser in the amount of the statutory fee for each “tag” issued but he is not authorized to collect additional amounts as service or other charges.

Authority: T.C.A. §§55-4-103, 4-2-1903, 67-1-102, 67-1-103, 67-1-105, 67-1-703, 67-1-802, and 67-1-803. **Executive Order Number 37.** **Administrative History:** Original chapter 1340-5 transferred from chapter 1320-8 under the authority of Executive Order Number 37 dated June 29, 1990.

1340-5-10-.08 PERIOD OF VALIDITY INCLUDES HOLIDAYS. The statutory “life” or period of validity for each “tag” issued shall be computed to include Sundays or holidays occurring during such period.

Authority: T.C.A. §§55-4-103, 4-2-1903, 67-1-102, 67-1-103, 67-1-105, 67-1-703, 67-1-802, and 67-1-803. **Executive Order Number 37.** **Administrative History:** Original chapter 1340-5 transferred from chapter 1320-8 under the authority of Executive Order Number 37 dated June 29, 1990.

1340-5-10-.09 RESTRICTIONS ON USE. A “temporary tag” may be used only by (or for) the person to whom it was assigned and displayed only on the vehicle for which it was issued.

Authority: T.C.A. §§55-4-103, 4-2-1903, 67-1-102, 67-1-103, 67-1-105, 67-1-703, 67-1-802, and 67-1-803. **Executive Order Number 37.** **Administrative History:** Original chapter 1340-5 transferred from chapter 1320-8 under the authority of Executive Order Number 37 dated June 29, 1990.

1340-5-10-.10 REFUND. In the event the Department discontinues the issuance of “temporary tags” refund may be made to the dealer of the fee paid for all “tags” held by him as of that date. Application for refund must be supported by the unissued “tags”.

Authority: T.C.A. §§55-4-103, 4-2-1903, 67-1-102, 67-1-103, 67-1-105, 67-1-703, 67-1-802, and 67-1-803. **Executive Order Number 37.** **Administrative History:** Original chapter 1340-5 transferred from chapter 1320-8 under the authority of Executive Order Number 37 dated June 29, 1990.

1340-5-10-.11 CLEARLY DISPLAYED. Every “temporary tag” shall at all times be displayed in a horizontal position on the vehicle for which it is issued in a manner to be clearly visible from the rear of such vehicle.

Authority: T.C.A. §§55-4-103, 4-2-1903, 67-1-102, 67-1-103, 67-1-105, 67-1-703, 67-1-802, and 67-1-803. *Executive Order Number 37. Administrative History:* Original chapter 1340-5 transferred from chapter 1320-8 under the authority of Executive Order Number 37 dated June 29, 1990.

1340-5-10-.12 NONCOMPLIANCE RESULTS IN FORFEITURE. Every dealer or person failing to comply with the provisions of these regulations shall forfeit his right to hold, assign and issue the “temporary tags” for such period as the Commissioner may deem prudent.

Authority: T.C.A. §§55-4-103, 4-2-1903, 67-1-102, 67-1-103, 67-1-105, 67-1-703, 67-1-802, and 67-1-803. *Executive Order Number 37. Administrative History:* Original chapter 1340-5 transferred from chapter 1320-8 under the authority of Executive Order Number 37 dated June 29, 1990.

1340-5-10-.13 NONCOMPLIANCE CONSTITUTES VIOLATION. Violation of or non-compliance with any of the requirements set forth above shall constitute a violation of the provisions of T.C.A. §55-4-205.

Authority: T.C.A. §§55-4-103, 4-2-1903, 67-1-102, 67-1-103, 67-1-105, 67-1-703, 67-1-802, and 67-1-803. *Executive Order Number 37. Administrative History:* Original chapter 1340-5 transferred from chapter 1320-8 under the authority of Executive Order Number 37 dated June 29, 1990.

1340-5-10-.14 NOT INCLUSIVE. It is not intended that these rules and regulations be inclusive or that any inapplicable requirements by implication affect or in any way be construed to supplant the provisions of any reciprocal motor vehicle agreement binding upon the Department or other regulations given under any statutory provision or established rule of law relating to the registration for or operation of motor vehicles.

Authority: T.C.A. §§55-4-103, 4-2-1903, 67-1-102, 67-1-103, 67-1-105, 67-1-703, 67-1-802, and 67-1-803. *Executive Order Number 37. Administrative History:* Original chapter 1340-5 transferred from chapter 1320-8 under the authority of Executive Order Number 37 dated June 29, 1990.